IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:19-8-2006

CORAM

THE HONOURABLE MR.JUSTICE P.JYOTHIMANI

W.P.No.25710 of 2006

G.Palani ... Petitioner

Versus

1.The Chairman-cum-Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.

2.The Regional Manager,
Tamil Nadu Civil Supplies
Corporation Ltd.,
Regional Office,
SIDCO Complex,
Vengikkal,
Tiruvannamalai. ... Respondents

Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Mandamus to forbear the respondents from effecting recovery from the salary of the petitioner pursuant to the orders of the 2nd respondent in 1) Ref.Rc.T1/2063/2006, dated 28.6.2006, 2)Rc.T1/2289/2006 dated 12.7.2006 and Rc.A4/4022/2006 dated 06.07.2006 pending disposal of the appeals on the file of the first respondent.

For Petitioner :Mr.V.Sanjeevi
For Respondents :Mr.A.Edwin Prabhakar,
Government Advocate.

WEB COPY

ORDER

By consent of either side, the writ petition itself is taken up for final disposal.

2.This writ petition has been filed for a direction forbearing the respondents from effecting recovery from the salary of the petitioner pursuant to the orders of the 2nd respondent dated 28.6.2006, 12.7.2006 and 06.07.2006.

https://hcservices.ecourts.gov.in/hcservices/

3.The above said three orders have been passed by the second respondent against the petitioner to make recovery in respect of loss incurred by the Tamil Nadu Civil Supplies Corporation when the petitioner was working as Junior Assistant in the Tamil Nadu Civil Supplies Corporation.

4.The learned counsel for the petitioner submits that even though as against the above orders of the second respondent the petitioner has preferred appeals before the first respondent on 8.8.2006 and filed stay petitions on 9.8.2006, the second respondent is making attempt to recover money from the salary of the petitioner.

5.In view of the above the present writ petition has been filed for a direction as stated above.

6.I have heard the learned counsel for the petitioner as well as the learned counsel who appeared on behalf of the respondents.

7.Admittedly the petitioner has filed appeals and also filed stay petitions before the first respondent against the orders of recovery passed by the second respondent. In the circumstances I am of the considered view that the appellate authority should be directed to dispose of the appeals within a stipulated time.

8.Considering the facts and circumstances of the case the first respondent is directed to dispose of the appeals filed by the petitioner dated 8.8.2006 against the orders of the second respondent in Ref.Rc.T1/2063/2006, Rc.T1/2289/2006 and Rc.A4/4022/2006 dated 28.6.2006, 12.7.2006 and 06.07.2006 and pass appropriate orders after giving opportunity of hearing to the petitioner within a period of eight weeks from the date of the receipt of a copy of this order.

9.It is made clear that till passing of final order on the appeals filed by the petitioner, the respondents shall not proceed any proceedings to recover money from the salary of the petitioner.

10.With the above direction the writ petition is disposed of. No costs. Consequently the connected M.P.No. 1 of 2006 is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

vk

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

To:

1.The Chairman-cum-Managing Director,
Tamil Nadu Civil Supplies Corporation Ltd.,
No.12, Thambusamy Road,
Kilpauk, Chennai-600 010.

2.The Regional Manager, Tamil Nadu Civil Supplies Corporation Ltd.,Regional Office,SIDCO Complex, Vengikkal,
Tiruvannamalai.

1 c to Mr.V.Sanjeevi, Sr. 36923

W.P.No.25710 of 2006

MRD (CO)
kk 28/8

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/